

MEMO ENDORSED**THE CITY OF NEW YORK
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January 2, 2025

BY ECFHon. Ona T. Wang
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312Re: *Garzon et al. v. Banks et al.*
24-CV-07316 (DEH) (OTW)

Dear Judge Wang:

I am an Assistant Corporation Counsel assigned to represent the Defendants former Chancellor of the New York City Department of Education David C. Banks and the New York City Department of Education in the above referenced action. I write jointly for the Parties. In this matter, Plaintiffs allege that the Defendants have failed to implement a pendency order issued by a New York State Impartial Hearing Officer ("IHO") in violation of the Individuals with Disabilities Education Act ("IDEA"). Pursuant to Your Honor's Individual Practices in Civil Cases, Rule III (a), the Parties submitted a December 18, 2024 letter-motion with a proposed Complaint amendment and Motion to Dismiss briefing schedule for Your Honor's review and consideration. ECF No. 13. This letter-motion has not yet been so ordered. An Initial Pretrial Conference is currently scheduled in this matter for January 9, 2025. ECF No. 12.

The Parties respectfully request that the Initial Pretrial Conference scheduled for January 9, 2025 (ECF No. 12) be adjourned *sin die* and that the December 18, 2024 proposed Complaint amendment schedule and Motion to Dismiss briefing schedule be so ordered, which would create the submission schedule for this matter. ECF No. 13.

Thank you for Your Honor's consideration.

SO ORDERED:

The January 9th conference is adjourned sine die.

A handwritten signature in blue ink, appearing to be "Ona T. Wang", is written over a horizontal line.

ONA T. WANG 1/6/25
United States Magistrate Judge

Respectfully,

s/ *David Kaplan*

David Kaplan
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Cc:

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Via ECF